

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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JOHN BOUCHER,

Plaintiff,

v.

Case No. 18-CV-0760

W. BRADLEY MARTIN,

Defendant.

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**DEFENDANTS' RULE 26(a)(2) DISCLOSURES**

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Defendant, by his attorney, hereby makes the following disclosures pursuant to Rule 26(a)(2) of the Federal Rules of Civil Procedure and the Court's Preliminary Pretrial Conference Order (Dkt. 47), regarding witnesses who may be called in the trial of this matter to present evidence under Rules 702, 703, or 705 of the Federal Rules of Evidence.

**Retained Experts:**

1. **Dr. Paul Bekx** is a medical doctor and was employed by State of Wisconsin, Department of Corrections as the Medical Director. He is retained or specially employed to provide expert testimony and his report in the form of his declaration further listing his qualifications is attached. He may testify about Mr. Boucher's medical conditions and the health care and treatment provided to Mr. Boucher during times relevant to this lawsuit,

consistent with relevant excerpts of Mr. Boucher's medical record. The subject matter and a summary of the facts and opinions of which he may testify to are set forth in this disclosure, as well as the update of his declaration submitted in support of Defendants' Motion for Summary Judgment (Dkt. 23) which was filed on November 22, 2019. He is not a defendant in this matter. He may be contacted through undersigned counsel.

**Non-Retained Experts:**

2. **Debra Tidquist** is an Advanced Practice Nurse Prescriber (Nurse Practitioner) who was formerly employed at Jackson Correctional Institution. She is not retained or specifically employed to provide expert testimony and her duties do not regularly involve giving expert testimony. She is a dismissed defendant. The witness did not prepare a report in this case. The subject matter and a summary of the facts and opinions of which she may testify to are set forth in this disclosure, as well as her declaration (Dkt. 27) submitted in support of Defendants' Motion for Summary Judgment (Dkt. 23) which was filed on November 22, 2019. She may testify regarding the Plaintiff's medical records. She may also testify regarding the advanced practice nursing prescriber protocols that apply to this case, including the care and treatment of prison inmates with chronic medical issues. She may testify regarding inmate requests for health care treatment and pain medication. This witness can be contacted through undersigned counsel.

3. **Darin Krzyzanowski**, DPT, is a physical therapist who is currently at Jackson Correctional Institution and at all times relevant to this lawsuit. He is not retained or specifically employed to provide expert testimony and his duties do not regularly involve giving expert testimony. He may testify about the health care and physical therapy treatments provided to Mr. Boucher during times relevant to this lawsuit, consistent with relevant excerpts of Mr. Boucher's medical record.

4. Any person identified as a health care provider that provided health care services to the Plaintiff, both within Corrections and off-site health care providers. It is expected that any such witness will testify in accordance with the medical records they have generated during their care and treatment of the Plaintiff.

As to any state law claims, Defendants' experts reserve the privilege against providing expert opinions for Plaintiff. *See* Wis. Stat. § 907.06; *Alt v. Cline*, 224 Wis. 2d 725, 89 N.W.2d 21, 25–26 (1999).

**Rebuttal Experts:**

To the extent Plaintiff produces at trial the testimony or written opinions of any experts, and to the extent those experts do not assert any applicable privilege, Defendants reserve the right to call any personnel listed in Plaintiff's records as additional experts in rebuttal. In addition to those named above, Defendants reserve the right to timely name additional rebuttal experts as

may be warranted by the on-going discovery in this action. Defendants further reserve the right to call additional rebuttal witnesses as may be allowed in the discretion of the court based upon testimony at trial in this matter.

Dated this 12th of February, 2021.

Respectfully submitted,

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